



MICHAEL P. WALLS
VICE PRESIDENT
REGULATORY & TECHNICAL AFFAIRS

January 25, 2017

Document Control Office (7407M)
Office of Pollution Prevention and Toxics (OPPT)
Environmental Protection Agency
1200 Pennsylvania Ave. NW.
Washington, DC 20460-0001
Submitted to the federal rulemaking portal at www.regulations.gov

RE: Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act, 82 Fed.Reg. 7562 (Jan. 19, 2017); EPA-HQ-OPPT-2016-0654; FRL-9957-75; RIN 2070-AK20

Dear Sir or Madam:

I am writing to request that the Environmental Protection Agency make a necessary technical correction in the above-mentioned rule, and issue an appropriate Federal Register notice to address the correction.

On page 7570 of the preamble to the proposed rule, EPA notes that it proposes “to provide a draft scope for a 45 calendar day public comment period during this six month period.” In the proposed regulatory text at page 7578, however, EPA indicates that it expects “to allow a period of 30 calendar days during which interested persons may submit comment on EPA’s draft risk evaluation scope.” Clearly the references to the comment periods are inconsistent.

A discrepancy of this nature in the proposed rule is not simply a typographical error or incorrect grammar. The discrepancy has a substantive impact on the ability of stakeholders to have adequate notice of a substantive element of the proposal – in this case, the amount of time provided for public comment. Members of the public reviewing the current proposal may not notice the discrepancy and will not comment on it. ACC requests that EPA correct the discrepancy with a new Federal Register notice noting the problem and indicating which comment period it intends to apply to scoping documents. EPA has made these types of corrections many times in the past. *See, e.g.,* <https://www.regulations.gov/document?D=EPA-HQ-RCRA-2010-0695-0054>. EPA should not simply rely on comments submitted on the current proposal to address this issue.

Sincerely,

A handwritten signature in black ink that reads "Michael P. Walls". The signature is written in a cursive, flowing style.

cc: Wendy Cleland-Hamnett
Susanna Blair

